

// A special meeting of the Council of the City of Lynchburg, recessed from September 12, was held on the 14th day of September, 2006, at 3:00 P.M., Stonewall Jackson Hotel, Staunton, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct City Council's annual retreat. The following Members were present:

Present: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Absent: Helgeson 1

// The meeting was called to order by Mayor Foster at 3:45 p.m.

// Council Member Helgeson arrived at 4:25 p.m.

// Retreat facilitators Anton Gardner and Tyler St. Clair from the Weldon Cooper Center for Public Service focused the afternoon session regarding use of the Myers-Briggs Type Indicator as an inventory for each Council Member to better understand how each one likes to receive information and make decisions, and how the differences, when used effectively, can help City Council and staff members to use their strengths collectively.

// City Council recessed at 6:15 p.m. for dinner.

// City Council reconvened the meeting at 7:55 p.m.

// During the evening session, City Council shared information regarding each member's values and events that have shaped their lives.

// The meeting was recessed at 10:33 p.m. to Friday, September 15, 8:15 a.m., to continue with the retreat agenda.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from September 14, was held on the 15th day of September, 2006, at 8:15 A.M., Stonewall Jackson Hotel, Staunton, Joan F. Foster, President, presiding. The purpose of the meeting was to continue City Council's annual retreat. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// The second day of the retreat focused on the development of a vision statement and operating guidelines to assist Council Members in achieving effective working relationships among themselves and staff. Following a brainstorming exercise and group discussion, the following draft Vision Statement and Operating Guidelines were prepared:

LYNCHBURG CITY COUNCIL VISION (DRAFT)

We provide an environment in which individuals and families are free to pursue their dreams, hopes, and aspirations through our efforts to produce:

Community Character

The character of our City is defined by the values and behaviors of its residents and its natural and built environments. We are a beautiful, safe and comfortable community with hospitable, friendly, and caring citizens.

Economic Prosperity

Our City will maintain a vibrant, industrious community that will expand economic opportunities for our citizens. We embrace policies that will enhance economic prosperity with the support of a strong IDA, emphasis on education, workforce development, and a continued commitment to business-friendly initiatives.

Good Government

City government will deliver, in an equitable manner, public services through the effective and efficient stewardship of resources.

Multicultural Vibrancy

Lynchburg acknowledges, celebrates, and values its rich cultural, ethnic, racial, and religious diversity while promoting a respectful and cohesive community.

A Compelling Destination

The City is a regional draw for entertainment, shopping and business. Our unique historic heritage and tourism attractions draw a national audience. With its breadth of recreational experiences, centers of interactive living history, and opportunities for educational excellence, our City appeals to all generations.

LYNCHBURG CITY COUNCIL OPERATING GUIDELINES DRAFT

1. Council Members will work to insure that they are accessible to other Members, including being cell-phone accessible. However, we will also:
 - Be cognizant of communication methods that are preferred by others
 - Realize and respect that some Members are not able to respond as quickly as others
 - Respect confidentiality and not provide our cell phone number to others

2. In the interests of Council Members being able to discuss issues to get a variety of perspectives, Council Members will be seek to be timely in responding to calls.
3. Council Members will be personally responsible for insuring that each Member is able to express his or her view by:
 - Attempt to listen and understand before you talk
 - Trying to rotate opinion-giving
 - Speak last
 - Avoid repeating our arguments or monopolizing the discussion
 - Prompt others when interrupte
4. We respect the confidentiality of closed sessions and avoid sharing information outside of them.
5. Although we all reserve the right to discuss the reasons for our vote and our opinions of issues, we will avoid making disparaging public comments about other Council Members.
6. The Mayor's role will be to:
 - Preside over the meetings and represent the Council
 - Be a voice for the City
 - Bring things together
 - Steer or influence agendas based on Council's broad, strategic vision and avoid micro-managing
 - Give feedback to Council Members when needed to enable effective policy making/decisions
 - Make others a better leader through feedback
 - Consider whether public dignitary functions may be shared with specific Council Members
 - Recognize other Council Members' contributions publicly
7. Council Members will enable the Mayor to be effective by supporting her leadership role.
8. The Council Members will ensure that they remain focused on the broad City perspective while also representing the needs of the wards.
9. The Council Members will seek to deal with operational issues appropriately and not use roll call to air issues that could be taken care of outside of the public meeting.

// City Council agreed that following the retreat that the following steps would be taken:

1. The facilitator would provide a Retreat Report for distribution to the Council.
2. The City Leadership Team would provide implementation steps for Council.
3. City Council would review and discuss Operating Guidelines at a future work session.
4. City Council would discuss a plan for sharing Council's vision and aligning goals and planning activities with the vision.

// The meeting was recessed at 4:45 p.m. to September 26, 1:00 p.m., to conduct a work session regarding several items.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from September 15, was held on the 26th day of September, 2006, at 1:00 P.M., Second Floor Training Room, City Hall, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct a work session regarding several items.

The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// Delegate Shannon Valentine met with City Council to provide an update on key issues before the Virginia General Assembly that may impact the City. Following the presentation, Council Members thanked Delegate Valentine for taking the time to meet with them.

// Museum Director Doug Harvey along with two museum system experts Dan Murphy, PRD Group, Ltd., and Mary Ellen Stumpf, Stumpf & Associates, Inc., presented the findings and recommendations regarding a study that was conducted of the current Lynchburg Museum System. Mr. Harvey outlined the following four recommendations and asked that City Council accept the findings of the study and allow staff to develop action plans to implement the findings:

1. Acquire a facility for exhibits and storage in downtown that will enhance the Museum System's ability to draw visitors and serve the citizens.
2. Create one board to advise the City and oversee the Museum System and all its projects and properties.
3. Review and revise the 30 year old contract with Wachovia Bank/Diggs Trust regarding the management of Point of Honor.
4. Undertake long range, strategic planning for the Museum System beginning with the development of a five year plan.

Council Members discussed the four priorities and the need to move forward with the recommendations of the study, especially since the Museum System is a strong component of City's tourism program.

Following discussion and on motion of Council Member Seiffert, seconded by Vice Mayor Dodson, Council by the following recorded vote accepted the findings of the study and asked that staff develop action plans to implement the findings of the study:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Noes: Helgeson 1

// Director of Parks and Recreation Kay Frazier along with Emmett Lifsey, of Calloway, Johnson, Moore & West, P.A., provided an update regarding the status of work in completing the recommendations of the Community Market Task Force. Mr. Lifsey explained that the focus has been on improving the management of the Market, converting the parking lot to a Market Square, renovating the interior of the Market, and improving the merchandising and marketing of products and vendors. Following the presentation, Ms. Frazier stated that the next step would be for staff to proceed with final design and construction of renovations to the interior of the Market, final design and construction of the Market

Square, and design and construction of a cut-back of the market deck in conjunction with the Market Lofts project.

// Mayor Foster announced that Agenda Item #4 regarding the Riverfront Plan Implementation Strategy has been postponed for discussion at a future work session.

// Engineering staff Dee Dee Conner, Lee Newland and Gerry Harter provided an update regarding the Breezewood Drive Connector Project. Ms. Conner explained that a public hearing was held on this project for the final design and location, that the construction drawings are 100 percent complete and that staff is ready to submit a package to the Commonwealth Transportation Board (CTB) for approval. Ms. Conner went on to say that staff anticipates beginning acquiring the right-of-way needed for the project in January and advertise for construction in the Spring. Ms. Conner noted that the project estimate is \$5,648,000 and that an additional appropriation of State Urban funds is needed to cover the \$2.716 million deficit in the funding. Ms. Conner explained that the project is funded totally by the State with a two percent match by the City and that the City has appropriated, \$400,000 is city capital money to meet the required two percent match of \$112,960. Council Member Seiffert expressed concern regarding the possible elimination of the existing connection of Breezewood Drive to Route 501S which is included in the proposed Lakeside Drive 501S Interchange Project. Other Council Members also expressed a similar concern especially since funding is included in the Breezewood Drive Connector project for the addition of an acceleration lane for right turns from Breezewood Drive to Route 501. In response to questioning, Ms. Conner stated that the acceleration lane would be the last part of the project to be completed. Council Member Helgeson stated that he could not support spending \$5.6 million to extend a dead-end road especially since there is a need for funding other road projects such as the Greenview Drive Interchange project. Other Council Members commented regarding prior commitments made to the Church located on Breezewood Drive. Council Member Garrett stated that he would like for staff to contact the Commonwealth Transportation Board to determine whether or not the existing connection of Breezewood Drive to Route 501S will be closed and the possibility of a signalized intersection to connect with the proposed Lakeside Centre. Following discussion, and on motion of Council Member Johnson, seconded by Council Member Garrett, Council by the following recorded vote adopted Resolution #R-06-122, as presented, authorizing the City to submit construction drawings to the Commonwealth Transportation Board for approval for the Breezewood Drive Connector:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Noes: Helgeson 1

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-123, as presented, amending the FY 2007 CIP Budget and appropriating \$2,716,000, fully reimbursable, to extend and improve the existing Breezewood Drive:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Noes: Helgeson 1

// Prior to discussing the Lakeside Centre rezoning petition, Mayor Foster made the following statement..."I am the Chief Operating Officer of the Alliance for Families and Children. In the past, W C English Foundation has made donations to the Alliance for its Ways to Work Program. However, I have been advised by the City Attorney that the fact the English Foundation made donations to the Alliance does not create a conflict of interest under the Virginia Conflict of Interests Act. Even though the English Foundation has made donations to the Alliance, I am able to participate in this matter fairly, objectively, and in the public interest. Therefore, I will participate in the discussion of and will vote on this zoning petition." City Planner Tom Martin provided a brief summary regarding the results of two reviews of the Regional Retail Market Analysis for Lakeside Centre, prepared by The Cox Company, and a "Sales Gap Analysis for Lynchburg, Virginia" prepared by The Community Land Use and Economics Group, LLC in November of 2005. Mr. Martin went on to say that staff has also received a revised site plan for this project and revised proffers to further address the environmental concerns expressed at the August public hearing. Some Council Members indicated that since they had just received the two reports regarding the review of the Lakeside Centre market analysis, that they needed more time to review the reports prior to making a decision regarding the Lakeside Centre rezoning petition. Following discussion, City Council agreed to schedule a special meeting to discuss the Lakeside Centre rezoning petition for Tuesday, October 3, at 8:30 a.m.

// The meeting was adjourned at 4:50 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 26th day of September, 2006, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Council Member Gillette gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// Copies of the minutes of the two September 12, 2006 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Police - General, Resolution #R-06-106 amending the FY 2007 City/Federal/State Aid Fund budget and appropriating \$38,795, fully reimbursable, to fund State Homeland Security training and first responder equipment, laid over from the September 12, 2006 meeting, was again presented and read, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Finance - General, Resolution #R-06-107 amending the FY 2007 Technology Fund Budget and appropriating \$50,000 for the purchase of a Document Management System, laid over from the September 12, 2006 meeting, was again presented and read, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Juvenile Services - General, Resolution #R-06-108 amending the FY 2007 City/Federal/State Aid Fund budget and appropriating \$66,180, fully reimbursable, for the Title II Youth Offenders grant program, laid over from the September 12, 2006 meeting, was again presented and read, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Parks & Recreation - General, Resolution #R-06-109 amending the FY 2007 City Capital Projects Fund Budget and appropriating \$250,000, fully reimbursable, for improvements to Riverside Park, laid over from the September 12, 2006 meeting, was again presented and read, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of City Attorney - General, City Council Report #6 was considered. On motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-06-124, as presented, approving the Law Enforcement Mutual Aid Agreement to allow the Lynchburg Sheriff's Department to participate in the mutual aid agreement:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// Mayor Foster recognized the Lynchburg Rotary Club Open World Delegation of Russian educators who are visiting area schools and colleges.

// In the matter of Tax Relief, Anderson Duck, Marie Coates, Dorothy Walton and Ruby Fitch spoke before Council expressing concern regarding the new formula for calculating real estate tax relief for the elderly stating that they are no longer eligible to receive any real estate tax relief based on the new formula even though they have received tax relief in prior years. Each person asked that City Council take into account the fixed income of elderly citizens, the monthly expenses of maintaining a household, and the high medical expenses that most of them incur on a monthly basis. Each person asked that City Council revisit the formula in order to provide more tax relief to the elderly especially in light of the surplus of funds remaining in the current program.

// Council Members provided some history regarding the change in the program, explaining that the formula is tied to the poverty level which allows those with the greatest need to get the most relief. Council Member Gillette also noted that City Council did not cut or reduce the amount of funding to the program. Council Members discussed whether or not to revisit the program prior to the next budget cycle and a majority of the members agreed to discuss this matter at the October work session. Council Member Gillette requested that the Commissioner of the Revenue Mitch Nuckles provide Council with the number of new individuals who applied this year for tax relief.

// In the matter of Community Planning - General, City Council Report #11 regarding naming the Northwest Expressway (Route 501 Bypass) as the "Desmond T. Doss Memorial Highway" from Old Forest Road to Boonsboro Road was considered. Community Development Administrative and Grants Administrator Melva Walker provided a brief summary of the request. City Manager Kimball Payne informed that the Physical Development Committee is recommending that "Highway" be changed to "Expressway". Council Member Seiffert also asked that information regarding why the road is being named after Mr. Doss be included on the signage and recommended that the signage state "PFC Desmond T. Doss Memorial Expressway, World War II Congressional Medal of Honor Recipient – Okinawa." Following discussion and on motion of Council Member Garrett, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-06-125, as amended, naming the Northwest Expressway (Route 501 Bypass) from Old Forest Road to Boonsboro Road as the "PFC Desmond T. Doss Memorial Expressway" and that the signage for the road should read..."PFC Desmond T. Doss Memorial Expressway, World War II Congressional Medal of Honor Recipient - Okinawa":

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Community Planning - General, City Council Report #12 was considered. On motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-06-126, as presented, approving the dedication of a public street and naming the new street "Two Creek Drive" in the Bethel Estates Subdivision, off Wiggington Road:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// On motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote elected to hold a closed meeting to consider the performance evaluation of the City Manager and for consultation with legal counsel and staff concerning a specific legal matter, the Pedcor Project, pursuant to Section 2.2-3711(A)(1) and (7) , respectively, Code of Virginia (1950), as amended:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Johnson, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// The meeting was recessed at 6:58 P.M. to October 3, at 8:30 A.M., Second Floor Training Room, City Hall, to discuss the Lakeside Centre rezoning petition.

Clerk of Council